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Paper No. 032004

**CROWELL & MORING LLP** INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON DC 20044-4300

MAR 24 2004

In re Application of

Joerge Baumgart et al.

Application No.: 09/807,125

Filed: April 9, 2001

For: MEASURING OF SMALL, PERIODIC UNDULATIONS

IN SURFACES

WITHDRAWAL FROM ISSUE

37 C.F.R. § 1.313

The above-identified application is withdrawn from issue after payment of the issue fee due to unpatentability of one or more claims. See 37 C.F.R. § 1.313(b)(3).

The above-identified application is hereby withdrawn from issue.

The issue fee is refundable upon request. If, however, the application is again found allowable, the issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Fee(s) Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance and Fee(s) Due in order to prevent abandonment of the application.

Telephone inquiries should be directed Russell Adams, Supervisory Patent Examiner, at (571) 272-2112.

The examiner will notify applicant of the new status of this application in an Office action to be

issued promptly.

Howard N. Goldberg Comp Director Technology Center 1800

Semiconductors, Electrical and Optical

Systems and Components